

CLASSIFICATION OFFICE DECISION

Title of publication: E064567909FD57FC

Other known title(s): Not stated

OFLC ref: 1900562.014

Medium: Image File

Producer: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 31 January 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 31 January 2020

Summary of reasons for decision:

The image file explicitly depicts sexual activity between two people. The Classification Office has considered whether the female subject presents as a young person and has concluded that this cannot be determined with any degree of certainty. While some aspects of her appearance are youthful, she does not unequivocally present as a young person, nor is the image contrived to present her as such. She could just as easily be a young adult. However, the unrestricted availability of the image is still likely to be injurious to the public good. There is a common social consensus across many countries that sexually explicit material should be limited to adults, because of the potential for harm to the developing sexual attitudes and behaviours of young people from premature exposure to such material. Therefore the availability of the publication is restricted to those aged 18 and over. While this restriction limits the right to freedom of expression as provided by the New Zealand Bill of Rights Act 1990, it is a reasonable restriction in the interest of preventing injury to the public good.